

## REMARKS

Claims 2 - 7, 15 - 17 and 24 remain active in this application. Claims 8 - 14 and 18 - 23 have been canceled without prejudice or disclaimer as being drawn to a non-elected species. Claim 1 has been canceled and the subject matter thereof has been incorporated in claim 2 which has thus been rewritten in independent form. The indication of allowability of Claims 2 - 7, 15 - 17 and 24 is noted with appreciation. No substantive amendments have been made and no new matter has been introduced into the application.

Claim 1 has been rejected under 35 U.S.C. §102 as being anticipated by Quintana. This sole ground of rejection of this single claim is respectfully traversed, particularly as being moot in view of the cancellation of claim 1 above.

In the discussion of this ground of rejection, it appears that Quintana is cited principally for the discussion of the need for use of thermally grown silicon oxide masks which the Quintana seeks to avoid by use of a particular etchant solutions such that more conventional resist materials can be employed. Specifically, the Examiner (improperly) reads the recitation of "a chemical reaction interface at a surface of said material layer" on the silicon surface from which the silicon oxide mask is thermally grown. It is respectfully pointed out that the discussion of prior art silicon oxide masks is silent in regard to how the silicon oxide mask is removed after the silicon has been etched and the etchants discussed are stated to simply have some *differential* in etch rates between silicon and silicon oxide and are thus not "selective" as that term is generally understood in the art in regard to the underlying chemical processes

involved. Moreover, the passage relied upon by the Examiner for discussion of resist removal in column 3 of Quintana is directed to removal of a *common resist material* rather than a silicon oxide mask; *which conventional resist would not exhibit the chemical reaction interface relied upon by the Examiner (and which, in any event, does not correspond to the chemical reaction interface disclosed and claimed in either the nature of location thereof) and is also not "selective" as the term is understood in the art.* Therefore, it is respectfully submitted that the Examiner has not properly considered the actual content of Quintana and that Quintana does not contain the teachings which the Examiner attributes to it as well as disregarding salient recitations of the claims and seeking to read the claims on features of Quintana which are not at all relevant to the subject matter actually claimed (e.g. the chemical reaction interface of Quintana, as asserted by the Examiner, involves the *formation* of the mask material layer and not its removal) or even the basic principles underlying the claimed invention by which the meritorious functions thereof, not available from Quintana, (e.g. a *necessarily complete and rapid* removal of the mask material by a chemical reaction while effectively preventing reactions elsewhere by limiting the chemical reaction only to the "chemical reaction interface where substances required by the reaction are evolved from the material being removed; causing the reaction to terminate at completion and preventing any significant reaction where the material is not present). Therefore, it is respectfully submitted that this ground of rejection is clearly in error.

Nevertheless, in order to expedite the allowance of the application, claim 1 has been canceled and the

salient recitations thereof placed in allowable claim 2. Accordingly, it is respectfully submitted that the above-requested amendments place the application in *prima facie* condition for allowance and thus amply justify the requested entry thereof while not raising any further issue for consideration by the Examiner. Therefore, it is respectfully submitted that entry of the above-requested amendments and allowance of the application are clearly in order and such action is respectfully requested.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that the foregoing is a full and complete response meeting the conditions of 37 C.F.R. §1.111(b).

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0458 of International Business Machines Corporation (Fishkill).

Respectfully submitted



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